

03560.003024

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#8/ELECTION
Shawn
3/7/03

In re Application of:)
TAKAHISA KATO, et al.) Examiner: L. Donovan
Application No.: 10/073,311) Group Art Unit: 2832
Filed: February 13, 2002)
For: MOVABLE-BODY APPARATUS,) February 24, 2003
OPTICAL DEFLECTOR, AND)
METHOD OF FABRICATING)
THE SAME :

Commissioner for Patents
Washington, D.C. 20231

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Andrew D. Mickelsen, Reg. No. 50,957

Name of Attorney for Applicant

Signature

Date of Signature

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RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

Sir:

In response to the Restriction Requirement dated January 23, 2003 (Paper No. 7), Applicants provisionally elect to prosecute the Group I claims, namely Claims 1 to 30, 33 and 34. The election is made without traverse.

In response to the election of species requirement, Applicants provisionally elect to prosecute Species II, namely the embodiment depicted in Figures 10 to 12. Claims 1 to 5, 9, 10, 13, 16 to 21, 26 to 30 and 33 read on the elected species. The election is made without traverse.

Although the Office Action indicates that no claims are generic, Applicants respectfully disagree and submit that Claim 1 is generic to Species I to XII, to which Claims 1 to 30, 33 and 34 are drawn. Claim 1 is considered to comprehend the

organization covered in each of Species I to XII. Specifically, Claim 1 concerns a movable-body apparatus that includes a support member, a movable body, an elastic supporting means supporting the movable body, and a driving means for tilting the movable body. Furthermore, Claims 2 to 30 depend from Claim 1 and therefore Claim 1 does not contain any material elements in addition to those set forth in Claims 2 to 30. Claim 1 is also not considered to contain any material elements in addition to those set forth in Claims 33 and 34. Accordingly, independent Claim 1 is considered to be generic to Species I to XII and upon an indication of allowability for Claim 1 it is respectfully requested for the Examiner to issue an action on the merits of Claims 1 to 30, 33 and 34.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



Attorney for Applicants

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